

~~PROPOSED~~ ORDER/COVER SHEET

TO: Honorable James Larson
Chief U.S. Magistrate Judge

RE: Jesus Navarro

FROM: Claudette M. Silvera, Chief
U.S. Pretrial Services Officer

DOCKET NO.: 05-cr-00283-JSW

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Victoria Gibson

415-436-7513

TELEPHONE NUMBER

RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

- ☐ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
- ☒ Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. F on 7-28-05 at 11:00 a.m.
- ☐ Inform all parties concerned that a Bail Review Hearing will be conducted by: Magistrate Judge _____ Presiding District Court Judge _____
- ☐ I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:
- ☐ Modification(s)
- A.
- B.
- ☐ Bail Revoked/Bench Warrant Issued.
- ☐ I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).
- ☐ Other Instructions:


JUDICIAL OFFICER

7-14-05
DATE

To: Honorable James Larson
U.S. Magistrate Judge
From: Victoria Gibson
U.S. Pretrial Officer
Subject: Jesus Navarro
05-cr-00283-JSW



MEMORANDUM

Date: July 11, 2005

Your Honor,

The defendant initially appeared before Your Honor on April 15, 2005, charged with violations of Title 18, United States Code, Section 371 and 1708 - Knowingly and Intentionally Conspire to Steal From Any Mail Route Any Letter, Postal Card, Package, Bag, or Mail. On that date, Your Honor released the defendant on a \$50,000 unsecured bond and the following conditions:

1. *The defendant shall report to Pretrial Services as directed;*
2. *The defendant shall surrender his passport (N/A) and not apply for any new passports or travel documents;*
3. *The defendant's travel is restricted to the Northern District of California;*
4. *The defendant shall have no contact with witnesses;*
5. *The defendant shall not possess any firearms, destructive devices, or other dangerous weapons;*
6. *The defendant shall submit to warrantless search and seizure of his person, place of residence, and vehicle at the direction of Pretrial Services;*
7. *The defendant shall not have any contact with any co-defendants outside of the presence of counsel; and*
8. *The defendant shall participate in drug/alcohol or mental health counseling and submit to drug/alcohol testing as directed by Pretrial Services.*

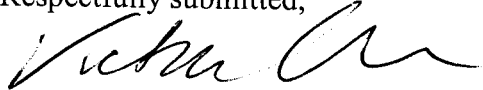
VIOLATIONS/ADJUSTMENT TO SUPERVISION: Since the submission of the last memorandum on June 22, 2005 (see attached), the defendant has failed to appear for three additional drug tests. The dates of the missed tests are: June 24, 2005; June 26, 2005; and July 10, 2005.

RECOMMENDATION: The defendant has been admonished repeatedly for his continuing violations. Outpatient drug treatment has been implemented. At this time, Pretrial Services feels that Mr. Navarro may need more intensive, inpatient substance abuse treatment. As such, we respectfully recommend that a bail review hearing be scheduled before Your Honor.

This memorandum is presented for Your Honor's information and consideration.

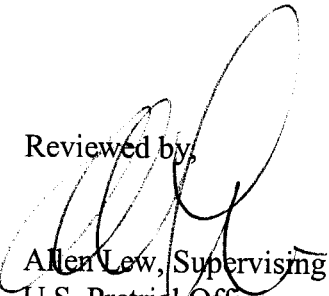
MEMORANDUM FOR THE HONORABLE JAMES LARSON
CHIEF U.S. MAGISTRATE JUDGE
RE: NAVARRO, JESUS
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Respectfully submitted,



VICTORIA GIBSON
U.S. Pretrial Officer

Reviewed by,



Allen Low, Supervising
U.S. Pretrial Officer

cc: Jeff Finigan, Assistant U.S. Attorney
Ken Quigley, Defense Counsel

To: Honorable James Larson
U.S. Magistrate Judge
From: Victoria Gibson
U.S. Pretrial Officer
Subject: Jesus Navarro
05-cr-00283-JSW



MEMORANDUM

Date: June 22, 2005

Your Honor,

The defendant initially appeared before Your Honor on April 15, 2005, charged with violations of Title 18, United States Code, Section 371 and 1708 - Knowingly and Intentionally Conspire to Steal From Any Mail Route Any Letter, Postal Card, Package, Bag, or Mail. On that date, Your Honor released the defendant on a \$50,000 unsecured bond and the following conditions:

1. *The defendant shall report to Pretrial Services as directed;*
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8. *The defendant shall participate in drug/alcohol or mental health counseling and submit to drug/alcohol testing as directed by Pretrial Services.*

VIOLATIONS/ADJUSTMENT TO SUPERVISION: During the post-release intake interview, the defendant was candid about his substance abuse issues. This officer discussed possible treatment options, and due to Mr. Navarro's deep desire to stay with his significant other and to find employment, it was agreed that he would participate in outpatient treatment, rather than residential treatment. The defendant understood that if he submitted positive drug tests, or if he felt he needed more intensive treatment, he could be placed in a residential treatment program.

Mr. Navarro did not submit any positive drug tests in April or May 2005. He missed one mandatory counseling session, but he has otherwise attended his weekly two-hour group sessions. The defendant recently secured employment with a furniture company.

MEMORANDUM FOR THE HONORABLE JAMES LARSON
CHIEF U.S. MAGISTRATE JUDGE
RE: NAVARRO, JESUS
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On June 20, 2005, the defendant failed to appear for a scheduled drug test. He was instructed to return the following day to submit to testing. On June 21, 2005, Mr. Navarro went to Weyland Consultation Services, but he was unable to urinate.

This afternoon, Mr. Navarro came to see this officer and admitted to "slipping" and using methamphetamine on the night of June 20, 2005. We again discussed options, including residential treatment. As he recently discovered that his girlfriend is expecting a child, he is determined to stay with her and insists that he can abstain from drug use without residential treatment.

RECOMMENDATION: Pretrial Services has increased the frequency of the defendant's required outpatient meetings. We are hopeful that he will be able to abstain, but we have informed him that if there are further positive drug tests, we will recommend he be placed in a live-in program. As such, we are not requesting any action from the Court at this time.

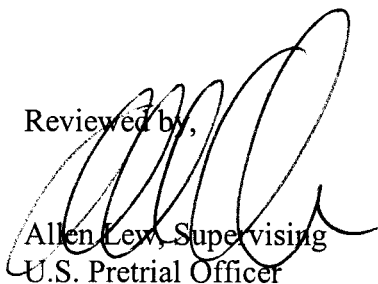
This memorandum is presented for Your Honor's information and consideration.

Respectfully submitted,



VICTORIA GIBSON
U.S. Pretrial Officer

Reviewed by,



Allen Lew, Supervising
U.S. Pretrial Officer

cc: Jeff Finigan, Assistant U.S. Attorney
Ken Quigley, Defense Counsel